REMARKS

Claims 1-29 are pending in this application. By this Amendment After Final Rejection, claims 1, 6, 7, 14, 18, 19, 21, 23, 24, 27 and 29 are amended. No new matter is added. Support for the amended claim features may be found in the specification at least at pages 4-6. In view of the foregoing amendments and following remarks, reconsideration and allowance are respectfully requested.

Entry of the amendments is proper under 37 C.F.R. §1.116 since the amendments: (a) place the application in condition for allowance for the reasons discussed herein; (b) do not raise any new issue requiring further search and/or consideration since the amendments amplify issues previously discussed throughout prosecution; (c) do not present any additional claims without canceling a corresponding number of finally rejected claims; and (d) place the application in better form for appeal, should an appeal be necessary. The amendments are necessary and were not earlier presented because they are made in response to arguments raised in the final rejection. Entry of the amendments is thus respectfully requested.

I. The Rejection Under 35 U.S.C. §102

The Office Action rejects claims 1-9, 14, 15 and 18-29 under 35 U.S.C. §102(b) over U.S. Patent No. 5,734,909 to Bennett. This rejection is respectfully traversed.

Bennett does not disclose "said logged-in device... assigns the specified timing of re-request to that specific device of interest, when said response unit gives the response of failed log-in," as recited in claims 1, 6, 7 and 18, and as similarly recited in claims 19, 21, 24 and 27; and "said log-in device... when receiving a response of failed log-in and a specified timing of re-request from said specific device, outputs another request of log-in to said specific device at the specified timing of re-request," as recited in claim 14, and as similarly recited in claims 23, 26 and 29. Bennett does not disclose the "logged-in device" assigning

"the specified timing of the re-request" to the "log-in device"; and the "log-in device" receiving "the specified timing of re-request" from the "logged-in device."

The Office Action at page 3 asserts that "Bennett explicitly teaches that a chronological order can be determined of clients who fail to log in" and concludes that "therefore Bennett is clearly suggesting giving to the clients an indication of precisely when they may try to connect to the server." These assertions are respectfully traversed.

Bennett discloses "even if the lock sequence problem is otherwise solved so that locks are awarded in chronological sequence, lock granting may still be saddled with delays. These delays are encountered when the lock becomes available before the requester's lock retry is initiated" (col. 2, lines 53-57). The disclosure merely indicates that the locks are awarded in chronological sequence. However, the disclosed "chronological sequence" does not relate to the assignment of the specified timing of re-request as claimed. For example, if the second client, as disclosed by Bennett, submits a lock request to the server who has already granted a lock to the first client, the server memorizes the lock request by the second client. After the first lock holding client is finished with its data operations, when the server is configured to receive a retry made by the second client only, the server may give locks to respective clients in chronological sequence even if the third client submits a lock request. In contrast, the claims recite either a logged-in device assigning a specified timing of re-request to the failed log-in device, or a failed log-in device receiving a specified timing of re-request from the logged-in device. Accordingly, at least for the above discussed reasons, the assertions by the Office Action forming the basis of the rejection under 35 U.S.C. §102(b) are traversed. Bennett does not disclose the claimed features regarding the specification of the timing of re-request.

Claims 1, 14, 18, 19, 21, 23, 24, 26, 27 and 29 are not anticipated by Bennett. Claims 2-9 depend from claim 1, claim 15 depends from claim 14, claim 20 depends from

claim 19, claim 22 depends from claim 21, claim 25 depends from claim 24, and claim 28 depends from claim 27; and thus, claims 2-9, 15, 20, 22, 25 and 28 are also not anticipated by Bennett. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

II. The Rejection Under 35 U.S.C. §103(a)

The Office Action rejects claims 10-13, 16 and 17 under 35 U.S.C. §103(a) over Bennett in view of the Applicant's Description of the Related Art at page 1 of the specification. This rejection is respectfully traversed.

Claims 10-13 depend from claim 1, and claims 16 and 17 depend from claim 14. Regarding claims 10-13, Bennett does not disclose or suggest "said logged-in device... assigns the specified timing of re-request to said specific device of interest, when said response unit gives the response of failed log-in," as recited in claim 1; and regarding claims 16 and 17, Bennett does not disclose or suggest "said log-in device... when receiving a response of failed log-in and a specified timing of re-request from said specific device, outputs on other request of log-in to said specific device at the specified timing of re-request," as recited in claim 14.

As discussed above, Bennett discloses that "even if the lock sequence problem is otherwise solved so that locks are awarded in chronological sequence, lock granting may still be saddled with delays. These delays are encountered when the lock becomes available before the requester's lock retry is initiated" (col. 2, lines 50-57). Bennett does not disclose the specified timing of re-request as claimed. The Applicant's Description of the Related Art at page 1 of the specification does not cure the deficiencies of Bennett. The Applicant's Description of the Related Art merely discloses that the SBP-2 protocol is a protocol of a transport layer designed in conformity with the IEEE1394 standard (the specification at page 1). In contrast, the claims recite either a logged-in device assigning a specified timing of

re-request to the failed log-in device, or a failed log-in device receiving a specified timing of re-request from the logged-in device. For the foregoing reasons, Bennett and the Applicant's Description of the Related Art do not teach or suggest the claimed invention.

Claims 1 and 14 would not have been rendered obvious by Bennett and the Applicant's Description of the Related Art. Claims 10-13 depend from claim 1, and claims 16 and 17 depend from claim 14, and thus, claims 10-13, 16 and 17 also would not have been rendered obvious by Bennett in view of the Applicant's Description of the Related Art. Accordingly, reconsideration and withdrawal of the rejection is respectfully requested.

III. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-29 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

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